

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JIMMY R. JOHNSON

COMPLAINANT

VS.

MEADE COUNTY RURAL ELECTRIC  
COOPERATIVE CORPORATION

DEFENDANT

CASE NO. 90-034

ORDER TO SATISFY OR ANSWER

Meade County Rural Electric Cooperative Corporation ("Meade County") is hereby notified that it has been named as defendant in a formal complaint filed on January 29, 1990, a copy of which is attached hereto.

The Complaint seeks a recalculation of the Complainant's December 1988 bill, a refund of amounts paid in excess of the recalculated bill, a refund of a service fee, and punitive damages. While the Commission has jurisdiction, pursuant to KRS 278.260(1), over complaints as to rates of a utility, the Commission has no jurisdiction over claims for punitive damages. See Carr v. Cincinnati Bell, Inc., Ky.App., 651 S.W.2d 126 (1983). Consequently, the Commission will strike that portion of the Complaint that seeks punitive damages.

IT IS THEREFORE ORDERED that:

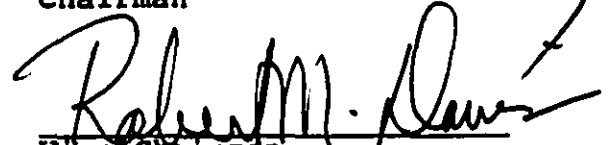
1. The portion of the Complaint that seeks punitive damages be and it hereby is stricken.

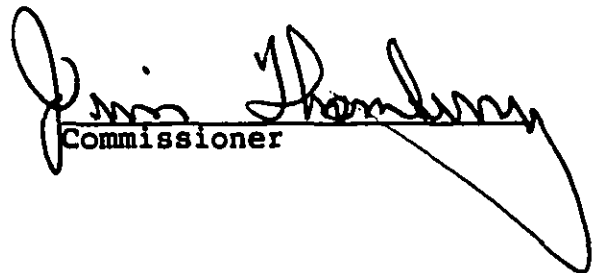
2. Pursuant to 807 KAR 5:001, Section 12, Meade County shall satisfy the remaining matters complained of or file a written answer to the complaint within 10 days of the date of service of this Order.

Done at Frankfort, Kentucky, this 23rd day of February, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director